

### REMARKS

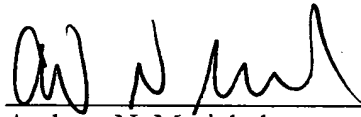
Claims 1-17, 38 and 30-32 are pending in the present application and stand rejected under 35 U.S.C. §103(a) as obvious over Sundararajan et al. (U.S. Patent Application 2002/0027286) in view of Soininen et al. (U.S. Patent No. 6,482,740). Soininen et al. issued on November 19, 2002 and thus is only available as prior art against the present application under 35 U.S.C. §102(e). Applicants respectfully submit that at the time of invention, the presently claimed invention and the Soininen et al. patent were both subject to an obligation of assignment to ASM Microchemistry Oy. As a result of the obligation of common assignment, Soininen et al. is not available as prior art against the present application in obviousness rejections, as provided in 35 U.S.C. §103(c).

Applicants respectfully submit that because the Soininen et al. reference is not available as prior art under §103, the current rejections should be withdrawn and the present application passed to allowance. If any issues remain, the Examiner is invited to contact Applicants' representative at the number provided below in order to resolve them promptly.

Respectfully submitted,

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